

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 8:22-cv-01043-CAS (MAA)

Date: August 24, 2022

Title Joseph Miner v. Christina Newsom et al.

Present: The Honorable MARIA A. AUDERO, United States Magistrate Judge

Narissa Estrada
Deputy Clerk

N/A
Court Reporter / Recorder

Attorneys Present for Plaintiff:
N/A

Attorneys Present for Defendants:
N/A

Proceedings (In Chambers): Order to Show Cause Why This Court Should Not Recommend Dismissal

Federal Rule of Civil Procedure 4(m) requires that service of the summons and Complaint must be made within ninety days of filing the complaint. Fed. R. Civ. P. 4(m). The Court warned Plaintiff of this deadline in its Initial Case Management Order. (ECF No. 11.)

Here, this action was filed over ninety days ago. The docket in this case lacks filings showing that it is being timely prosecuted. Specifically, Plaintiff has not filed any proofs of service of the summons and Complaint.

Plaintiff is ordered to show cause, in writing, no later than **September 23, 2022** why the Court should not recommend that this action be dismissed without prejudice under Federal Rule of Civil Procedure 4(m). In lieu of a written response, Plaintiff may discharge this Order to Show Cause by filing documents showing that the matter is being prosecuted diligently—for example, a proof of service of the summons and Complaint.

Plaintiff is cautioned that failure to respond to this order may result in a recommendation that the lawsuit be dismissed without prejudice for failure to prosecute and/or failure to comply with a court order pursuant to Federal Rule of Civil Procedure 41(b). See C.D. Cal. L.R. 41-1.

It is so ordered.